

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

PAUL J. McNALLY, as he is TRUSTEE,
MASSACHUSETTS LABORERS' HEALTH AND
WELFARE FUND and NEW ENGLAND LABORERS'
TRAINING TRUST FUND; JAMES MERLONI, JR.,
as he is TRUSTEE, MASSACHUSETTS LABORERS'
PENSION FUND and MASSACHUSETTS LEGAL
SERVICES FUND; MARTIN F. WALSH, as he is
TRUSTEE, MASSACHUSETTS LABORERS'
ANNUITY FUND,

Plaintiffs

vs.

G. CONWAY, INC.,

Defendant

and

BOWDOIN CONSTRUCTION CORP.,

Reach-and-Apply Defendant

and

FLEET,

Trustee

C.A. No. 05-10072 MEL

STIPULATION OF DISMISSAL

Plaintiffs Paul J. McNally, as he is Trustee, Massachusetts Laborers' Health and Welfare Fund, et al. and Reach-and-Apply Defendant Bowdoin Construction Corp. stipulate herein, pursuant to Rule 41(a)(1), Fed.R.Civ.P., that this case is dismissed as to the Reach-and-Apply

Defendant, with prejudice and without costs.

Respectfully submitted,

PAUL J. MCNALLY, as he is TRUSTEE,
MASSACHUSETTS LABORERS'
HEALTH AND WELFARE FUND, et al,

By their attorneys,

/s/ Gregory A. Geiman
Anne R. Sills, Esquire
BBO #546576
Gregory A. Geiman, Esquire
BBO #655207
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11 Beacon Street, Suite #500
Boston, MA 02108
(617) 742-0208

BOWDOIN CONSTRUCTION CORP.,

By its attorney,

/s/ Warren H. Brodie
Warren H. Brodie, Esquire
BBO #058000
40 Grove Street
Wellesley, MA 02482
(781) 235-1100

Dated: June 23, 2005

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Stipulation of Dismissal has been served by first class mail upon the defendant, G. Conway, Inc., via its attorney Steve Rosenthal, Esquire at 15 Broad Street, Boston, MA 02109 and by first class mail upon the reach-and-apply defendant, Bowdoin Construction Corp. by its attorney Warren Brodie, Esquire at the Law Offices of Warren H. Brodie, P.C., 40 Grove Street, Suite #220, Wellesley, MA 02482 this 23rd day of June, 2005.

/s/ Gregory A. Geiman
Gregory A. Geiman, Esquire